

VZCZCXYZ0012
OO RUEHWEB

DE RUEHUNV #0037/01 0301438
ZNY SSSSS ZZH (CCY ADX02560E2 MSI6436 611)
O 301438Z JAN 09
FM USMISSION UNVIE VIENNA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8946
INFO RUEHBJ/AMEMBASSY BEIJING PRIORITY 0790
RUEHRL/AMEMBASSY BERLIN PRIORITY 0752
RUEHLO/AMEMBASSY LONDON PRIORITY 1087
RUEHMO/AMEMBASSY MOSCOW PRIORITY 0842
RUEHFR/AMEMBASSY PARIS PRIORITY 0943
RUCNDT/USMISSION USUN NEW YORK PRIORITY 1458

S E C R E T UNVIE VIENNA 000037

SIPDIS

C O R R E C T E D C O P Y (CAPTION)
DEPT FOR D, P, IO, ISN

E.O. 12958: DECL: 01/29/2019
TAGS: [PREL](#) [PARM](#) [KNNP](#) [IAEA](#) [IR](#)
SUBJECT: IAEA/IRAN: THINKING ABOUT THE BOARD AT THE P5+1
POLDIRS MEETING

REF: UNVIE 14

Classified By: Ambassador Gregory L. Schulte for reasons 1.4 b and d

Summary

1. (S) The February 4 PolDir's meeting in Berlin will be an important opportunity to address the IAEA investigation Iran continues to block and possible steps to break the impasse at the March 2-5 IAEA Board of Governors. It is important to reaffirm P5 1 unity in this first Board meeting under the Obama administration and to send a clear message to Iran that it cannot withhold cooperation from the IAEA in the hopes of a broader P5 1 settlement. While a Board resolution is unachievable, Mission proposes consideration of a P5 1 statement in the Board, along the lines of the text in para 6 below. It would also be helpful if the P5 1 agree jointly to support public release of the forthcoming DG's report on Iran as has been the practice in the past. In addition, P5 1 PolDir's may consider common points for approaching the IAEA Secretariat, as well as following through on earlier agreement to convene another experts meeting to exchange technical information on the status of Iran's enrichment program. We have discussed these proposed steps with P5 1 Ambassadors in Vienna in a January 13 meeting (reftel). However, Russian and Chinese Missions in Vienna are unlikely to support any substantive action without direction from PolDir's. End Summary.

Objective

2. (S) Assuming that more time will be required for the U.S. and our P5 1 partners to formulate a broader diplomatic approach, we should work in the interim to ensure that Iran understands it cannot hope to wait out the P5 1 and international community's demand that it finally give full cooperation to the IAEA, and similarly cannot avoid indefinitely the UNSC obligation to suspend enrichment (even if it is not a "precondition.") Iran's receipt of this clear message would increase the chance that any new offer of direct diplomacy would prompt Tehran genuinely to reconsider its cost/benefit analysis vis--vis its nuclear program. Absent continued efforts by the P5 1, we risk the IAEA Board becoming comfortable with the current "stalemate" resulting from Iran's blockage of the IAEA investigation. This is especially so given DG ElBaradei's well-known view that progress at the IAEA now depends on a political "package deal." We expect the DG to do little to help convince Iran it must provide full cooperation, including on the IAEA's serious concerns regarding a "possible military dimension" to Iran's nuclear program. (Note: Mission understands the Secretary plans an initial call to DG ElBaradei soon. Mission recommends using this as an opportunity to underline to the DG the new Administration's expectation that the IAEA will press hard on its Iran investigation, even as the U.S. diplomatic initiative unfolds. End note.)

March IAEA Board Strategy

3. (S) The January 13 discussion of P5 1 Ambassadors demonstrated that there remains little appetite in Moscow or Beijing for any kind of Board resolution (reftel). And we cannot expect the DG's pending report on Iran (due late February) to help set the table for a resolution. While the report will confirm Iran's continued non-cooperation and

continued enrichment activities, barring unforeseen developments, it is likely to be only marginally useful in elevating Board concern. Also, it is increasingly likely that the March Board will be preoccupied with electing the next DG (anticipated in a separate Special Session), and thus not inclined in the already politically-charged environment to take on an Iran resolution.

14. (S) In the absence of a Board resolution to keep pressure on Iran, Mission recommends PolDir's consider seeking agreement in principle on an agreed P5 1 statement. This Board meeting will be the first meeting of the Obama Administration and should not be "business as usual," i.e., another exchange of national statements with NAM defenders of Iran. A clear demonstration now of P5 1 unity will be closely watched by Iran's sympathizers on the Board and inside the IAEA Secretariat. Short of a resolution, a statement would be the most effective means for signaling to

Tehran our continued unity of purpose, including our commitment to securing Iran's full cooperation with the IAEA.

Below is a draft (UNVIE-only) text that might provide a basis for PolDir's consideration. The main elements underscore the P5 1's continued unity and dedication to renewed efforts to finding a diplomatic solution, while also emphasizing our continued insistence that Iran fully cooperate with the IAEA investigation and meet its UNSC suspension requirement. After the divisions of recent Board debates and unsuccessful consideration of an Iran resolution, the mere act of the P5 1 speaking as one would be an important accomplishment.

15. (S) The best tactic for Berlin may be to seek agreement in principle, but leave specific discussion of text until after the DG's report has been released. There is some chance that the report might strengthen our hand if it shows that Iran has now produced enough LEU to serve as feed material under a breakout scenario for a nuclear weapon. If the PolDir discussion is lost in generalities, as it has been in the past, with Russia and China questioning the purpose or content of a statement, it may be useful to share a draft statement. Clear agreement at the PolDir level is necessary for any forward movement from Russia and China in Vienna, as their reps here are prone to offer competing interpretations of what exactly PolDir's have agreed.

16. (S/REL TO P5 1) Begin text of draft P5 1 statement

On behalf of the Governors of China, France, Germany, Russia, the United Kingdom and the United States:

We thank the Director General for his report on "Implementation of the NPT Safeguards and Relevant Provisions of UN Security Council Resolutions 1737, 1747 and 1803 in the Islamic Republic of Iran."

We would like to reaffirm our unity of purpose and strong support of the Agency's verification mission in Iran, as mandated by this Board and the UN Security Council, and in the context of our broader diplomatic initiatives. We remain firmly committed to a negotiated and comprehensive solution, and urge Iran to take advantage of this critical opportunity for engagement and dialogue by addressing the concerns of the international community through full cooperation with the IAEA.

The IAEA must play the essential role in technical verification to establish confidence in the nature and scope of Iran's nuclear program. We applaud the Secretariat for the diligence and impartiality with which it has pursued this task.

It has been more than six years since the discovery of clandestine nuclear activities in Iran. It is a matter of serious concern that the Director General has for some time reported "no substantive progress" toward providing the necessary assurances, including on questions related to possible military dimensions to Iran's nuclear program. We are likewise concerned that Iran continues to deny the IAEA investigation important tools, full implementation of the Additional Protocol and Code 3.1 modified, that are essential to verify the absence of undeclared activities.

Regrettably, even as the IAEA investigation registers no progress, inspectors continue to document significant progress by Iran in uranium enrichment, in contravention of UN Security Council and Board resolutions.

We would like to again reassure Iran of our commitment to a diplomatic solution, including through direct dialogue. In this regard, Iran's full and substantive cooperation with the Agency is a necessary component for the ultimate success of our diplomatic efforts.

End text.

Additional Steps

17. (S) Mission also recommends PolDir's agree to additional steps for follow-up in Vienna. (Note: These should not be viewed as actions in lieu of a P5 1 statement. End note.) Given division in the Secretariat between technical experts who want to press the investigation and ElBaradei's camp,

which wants to criticize the previous U.S. administration and wait for a political deal, it would be useful for P5 1 Missions to use a common set of talking points in our interactions with the IAEA Secretariat. We have previously discussed such an approach with the P5 1 Ambassadors and discussed the proposed points below with EU3 Missions. PolDir endorsement would help bring along Russia and China.

18. (S/REL to P5 1) Begin proposed points for Secretariat:

-- We remain fully committed to the EU3 3 dual-track effort to achieve a diplomatic solution.

-- We likewise remain fully committed to delivering a consistent, unified message from the international community to induce Iran to meet its obligations and pursue fruitful negotiations.

-- We are increasingly concerned that Iran, over the past several months, has refused to cooperate with the IAEA investigation in a full and substantive manner, or to implement Code 3.1 modified and the AP.

-- We do not accept Iran's blockage of the IAEA investigation.

-- Iran has unilaterally restricted cooperation to routine-type access to declared material at Natanz. Via that routine access the IAEA continues to confirm that Iran is still producing, in increasing quantities, LEU in contravention of UNSC and Board resolutions and without any civilian need.

-- If this situation persists in the run-up to the March Board we will look to the Director General's report to increasingly emphasize the implications for the IAEA's ability to draw the necessary safeguards conclusions in Iran in an effective and verifiable manner. The IAEA's success in "hard cases" like Iran will reinforce the credibility and integrity of the safeguards system.

-- We appreciate and support the Secretariat's efforts to engage Iran on questions about a possible military dimension to Iran's nuclear program, including by providing in the September DG report a detailed roadmap, based on the extensive and credible information the IAEA has already provided it, for how Iran could address remaining issues.

-- The IAEA's role in requiring Iran's full cooperation is essential.

End proposed points for Secretariat.

19. (S) It would also be useful to seek PolDir agreement to convene another meeting of P5 1 technical experts as the French Mission in Vienna has proposed. These meetings tend to helpfully underline the technical basis for our concerns. A meeting after the release of the DG's report (and almost certainly after the March Board meeting) would be well-timed especially if the DG's report indeed confirms that Iran has now produced enough LEU to serve as feed material for re-enrichment to a significant quantity of HEU. In the past, the meetings have also presented an opportunity to reinforce to the IAEA, via an informal meeting with DDG/Safeguards Heinonen, our collective support for taking forward the IAEA investigation.

110. (S) Finally, we would recommend that the P5 1 agree to make public the DG's report to the Board. In the past Canada has always successfully called for the DG's report on Iran to be made public. However, we want to head off any attempt to duplicate a recent Syria-related incident in which a request formally to make public the DG's report on Syria was overturned by NAM states. In order to maintain awareness of Iran's continued recalcitrance, we need to make sure the press gets that authoritative word from the IAEA.

SCHULTE